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Attorneys for Defendant
JASON INGRASSIA

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ABHINAV BHATNAGAR,

Plaintiff,

vs.

JASON INGRASSIA, individually and in
his official capacity; COUNTY OF
CONTRA COSTA; and CITY OF SAN
RAMON,

Defendants.

Case No. C07-02669 CRB

**DECLARATION OF NOAH G.
BLECHMAN IN OPPOSITION TO
PLAINTIFF'S MOTION IN LIMINE**

Date: April 25, 2008

Time: 10:00 A.M.

Judge: Hon. Charles R. Breyer

I, Noah G. Blechman, Esq., hereby declare:

1. I am an attorney at law duly licensed to practice before the courts of the State of California and am a partner at the law firm of McNamara, Dodge, Ney, Beatty, Slattery, Pfalzer, Borges & Brothers LLP; attorneys of record for Defendant JASON INGRASSIA. I have personal knowledge of each matter stated herein.

Attached hereto as **Exhibit "A"** is a true and correct copy of the Declaration of Jason Ingrassia in opposition to Plaintiff's Motion in Limine.

I declare under penalty and perjury the foregoing is true and correct.

Executed this 10th day of April, 2008 at Walnut Creek, California.

By: 

Noah G. Blechman, Declarant

EXHIBIT A

JAMES V. FITZGERALD, III (State Bar No. 55632)
NOAH G. BLECHMAN (State Bar No. 197167)
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RAMON,

Defendants.

Case No. C07-02669 CRB

**DECLARATION OF DEFENDANT JASON
INGRASSIA IN OPPOSITION TO
PLAINTIFF'S MOTION IN LIMINE**

Date: April 25, 2008

Time: 10:00 A.M.

Judge: Hon. Charles R. Breyer

I, JASON INGRASSIA, hereby declare:

1. I am a current peace officer with the Sheriff's Department of the County of Contra Costa.
I have been a peace officer in California since September of 2002.
2. In the prior criminal and administrative proceedings, as indicated and referenced in Plaintiff's moving papers for this motion, I was subpoenaed by the prosecution to testify as a witness at those criminal proceedings. I was also subpoenaed to testify as a witness at the related DMV hearings pertaining to Plaintiff's license.
3. I was not a party to any of those prior proceedings.
4. I was not able to cross-examine any witnesses at any of those prior proceedings.
5. I was not represented by counsel in any of those prior proceedings
6. I was not able to call any witnesses in any of those prior proceedings.

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7. I had no personal stake in the outcome of any of the prior proceedings other than to testify as to my knowledge of events gained while on duty as a peace officer.
8. I was never warned by any judge and/or hearing officer that any rulings in any of the prior proceedings could place me in jeopardy and/or could be prejudicial to me in relation to any subsequent civil action.
9. I did not direct the events or procedures in any of the prior proceedings, nor did I get a chance to present any independent evidence on my own behalf other than simply testifying as a witness to the events.
10. When I was not testifying in the criminal proceedings, I was excluded from the courtroom during the proceedings.
11. I could not appeal any adverse rulings against the prosecution in any of the criminal proceedings or similarly any adverse rulings in any of the DMV proceedings.
12. It would be unfair to hold any prior rulings against me in this civil case as I was not given a full and fair opportunity to present and/or litigate any issues in any of those prior proceedings.

I declare under penalty of perjury the foregoing is true and correct.

Executed this 9TH day of April, 2008, at WALNUT CREEK, California.

By: Jason Ingrassia
JASON INGRASSIA, Declarant